

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

GRACE ESTABROOK,)	
ELLEN HOLMQUIST, and)	
MARGOT KACZOROWSKI,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 1:25-cv-10281-WGY
)	
THE IVY LEAGUE COUNCIL OF)	
PRESIDENTS, PRESIDENT AND)	
FELLOWS OF HARVARD COLLEGE,)	
TRUSTEES OF THE UNIVERSITY OF)	
PENNSYLVANIA, and NATIONAL)	
COLLEGIATE ATHLETIC ASSOCIATION,)	
)	
Defendants.)	

**DECLARATION OF STEPHEN J. KASTENBERG IN SUPPORT OF MOTION TO
DISMISS BY THE IVY LEAGUE COUNCIL OF PRESIDENTS**

Pursuant to 28 U.S.C. § 1746, I, Stephen J. Kastenberg, hereby declare:

1. I am a partner at Ballard Spahr, LLP, counsel for Defendant The Ivy League Council of Presidents (“The Ivy League”). I am admitted *pro hac vice* to practice before this Court. I make this declaration based on my personal knowledge derived from my role as counsel to The Ivy League in this matter.

2. I submit this Declaration in support of The Ivy League’s Motion to Dismiss the Complaint.

3. Attached as **Exhibit 1** is a true and correct copy of relevant sections of the 2023–2024 Ivy Manual: Cover Page, Prefaces, Table of Contents, Part III—Eligibility: Rules and Procedures, Part V—Eligibility: Academic Standards and Residence, and Appendix A—Text of Original Presidents Agreement and 1979 Statement of Principles. The Ivy League will produce The Ivy Manual in its entirety upon request by the Court.

4. Attached as **Exhibit 2** is a true and correct copy of the 2010 NCAA Policy on Transgender Student-Athlete Participation, retrieved from https://ncaaorg.s3.amazonaws.com/inclusion/lgbtq/INC_TransgenderStudentAthleteParticipationPolicy.pdf, the link provided in the Complaint ¶ 73.

I declare under penalty of perjury that the foregoing is true and correct.

Date: April 21, 2025

/s/ Stephen J. Kastenberg

Stephen J. Kastenberg (admitted *pro hac vice*)

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